

USDC, Mass.

Date

8-18-05

By

fmc

Deputy Clerk

United States District Court

UNITED STATES

DISTRICT OF

SOUTHERN DISTRICT OF NEW YORK

National City Corporation, formerly
known as Information Leasing Corporation,
subservice agent to Wells Fargo Bank Minnesota
National Association, solely in Wells Fargo's
capacity as Indenture Trustee under a Third
Amended and Restated Indenture among
Terminal Marketing, Terminal Finance Corp.
II and Wells Fargo Bank Minnesota National
Association

CERTIFICATION OF JUDGMENT FOR REGISTRATION IN ANOTHER DISTRICT

Case Number:

ROBINSON

04 CIV. 7110

Surrender Records, Inc. v.

J. MICHAEL McMAHON,

Clerk

Clerk of this United States District

Court certify that the attached judgment is a true and correct copy of the original judgment entered in

this action on

MAR 30 2005

Date

, as it appears in the records of this court, and that

*

05-mc-10313

IN TESTIMONY WHEREOF, I sign my name and affix the seal of this Court on

JUN 05 2005

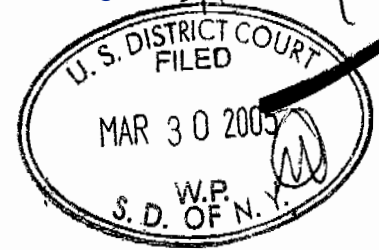
Date

J. Michael McMahon
Clerk CLERK

Etalén Qualls
(By) Deputy Clerk

* Insert the appropriate language: ... "no notice of appeal from this judgment has been filed, and no motion of any kind listed in Rule 4(a) of the Federal Rules of Appellate Procedure has been filed." ... "no notice of appeal from this judgment has been filed, and any motions of the kinds listed in Rule 4(a) of the Federal Rules of Appellate Procedure [*] have been disposed of, the latest order disposing of such a motion having been entered on [date]." ... "an appeal was taken from this judgment and the judgment was affirmed by mandate of the Court of Appeals issued on [date]." ... "an appeal was taken from this judgment and the appeal was dismissed by order entered on [date]."

[*Note: The motions listed in Rule 4(a), Fed. R. App. P., are motions for judgment notwithstanding the verdict; to amend or make additional findings of fact; to alter or amend the judgment; for a new trial; and for an extension of time for filing a notice of appeal.]



PERETORE & PERETORE, P.C.
 191 Woodport Road
 Sparta, New Jersey 07871
 (973) 729-8991
 Attorneys for National City Commercial Capital Corporation

Frank Peretore, Esq.
 FP #7020

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----X
 NATIONAL CITY CORPORATION, formerly
 known as INFORMATION LEASING
 CORPORATION, subservice agent to WELLS
 FARGO BANK MINNESOTA NATIONAL
 ASSOCIATION, solely in WELLS FARGO'S
 capacity as Indenture Trustee under a Third
 Amended and Restated Indenture among
 TERMINAL MARKETING, TERMINAL
 FINANCE CORP., II and WELLS FARGO
 BANK MINNESOTA NATIONAL:
 ASSOCIATION,

Plaintiff,

vs.

SURRENDER RECORDS, INC.,

Defendant.
 -----X

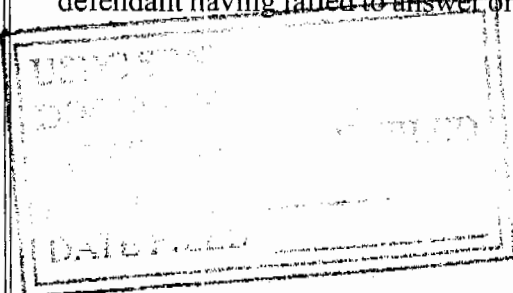
: Case Number: 04 CV 7110
 : Judge Stephen C. Robinson

#05-0112-WP

ECF CASE

ORDER FOR DEFAULT
 JUDGMENT

The Court having entered default against the defendant Surrender Records, Inc.; and the
 defendant having failed to answer or otherwise move to the Complaint; and the Plaintiff having made



A TRUE COPY
 J. MICHAEL McMAHON, CLERK
 BY Mark Quill
 DEPUTY CLERK

application pursuant to Federal Rule of Civil Procedure 55(b) by motion dated March 23, 2005, and by Declaration of Frank Peretore, and having submitted their Affidavit of Amount Due and Non-Military Service:

THE COURT FINDS:

1. This Court has jurisdiction of the subject matter of all counts of this action and over all the parties hereto.

2. A default judgment in this action is entered in favor of Plaintiff against the Defendant.

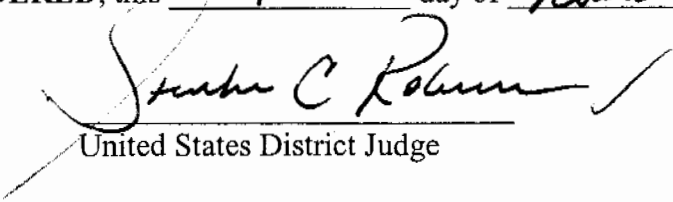
IT IS, THEREFORE ORDERED, that Plaintiff recover from the Defendant the balance of \$82,064.30 plus attorneys' fees in the amount of \$5,051.63 for a total judgment against this Defendant in the amount of \$87,115.93; and

ORDERED, that plaintiff shall have immediate and permanent title and possession to the collateral equipment ("the equipment") subject to the transactions described in the Complaint and motion papers, which has not been returned to plaintiff, and which is described on **EXHIBIT A** hereto; and it is further

ORDERED, that the defendants shall properly maintain said equipment and return it to plaintiff or its agents within five (5) days hereof and fully cooperate in said return; and it is further

ORDERED, in the event that plaintiff takes possession of the equipment, plaintiff shall attempt to dispose of said personal property in a commercially reasonable manner in accordance with the New York Uniform Commercial Code and the net proceeds from said sale, if any, after deduction of reasonable expenses of retaking, holding, preparing for sale, selling and the like, shall be applied to reduce the amount of the Judgment herein; and it is further

SO ORDERED, this 29th day of March, 2005.


United States District Judge

Names of Parties against whom judgment has been obtained	Names of Parties in whose favor judgment has been obtained

Default

03/29/2005

PERETORE & PERETORE, P.C.
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SPARTA, NEW JERSEY 07871
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SURRENDER RECORDS, INC.,

NATIONAL CITY CORPORATION, formerly known as Information Leasing Corp., subservice agent to Wells Fargo Bank MN Nat'l Assoc., solely in Wells Fargo capacity, as Indenture Trustee under a Third Amended & Restated Indenture among Terminal Marketing Term'l Fin. Corp.

\$87,115.93

\$0.05

When

Costs

Amount

Names of Parties in whose favor

Names of Parties against whom

...IT IS, THEREFORE ORDERED, THAT THE BALANCE OF DEBITANT THE AMOUNT OF \$5,051.63 FOR A TOTAL IN THE AMOUNT OF \$87,115.93

04CV7110(SCR)

I, J. Michael McMahon, Clerk of the United States District Court for the Southern District of New York, do hereby certify that the foregoing is a true and correct transcript from the Docket of Judgments kept in my office and that the above judgment has not been satisfied of record.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Court this 5 day of July, two thousand five

J. Michael McMahon, Clerk

by

Deputy Clerk